

IN THE COURT OF APPEALS OF MARYLAND
ADMINISTRATIVE ORDER CREATING ANTI-BIAS COMMISSION

WHEREAS, The Select Committee on Gender Equality, created after a joint study of the Maryland Judiciary and Maryland State Bar Association, Inc. found gender bias to have a major, negative impact on the Maryland judicial system, reported at the outset the perception of the existence of racial bias was significant; and

WHEREAS, The Conference of Chief Justices has passed resolutions urging courts in every state to ensure gender, racial and ethnic fairness; and

WHEREAS, A 1998 conference on public trust and confidence, sponsored by the Conference of Chief Justices, in concert with other national organizations, concluded that an essential element of public trust and confidence requires that the judicial process not only be, but also be seen to be, without racial or ethnic bias; and

WHEREAS, In October, 2001, the Select Committee on Gender Equality submitted a comprehensive report of its retrospective study designed to measure the changes in attitudes, experiences, and perceptions in respect to gender bias since the Select Committee's creation in 1989, concluding that perceptions of the existence of racial bias still persist; and

WHEREAS, The need exists for a group to examine the perceptions of racial and ethnic bias within the Maryland court system;

NOW, THEREFORE, I, Robert M. Bell, Chief Judge of the Court of Appeals and administrative head of the Judicial Branch, pursuant to the authority conferred by Article IV, § 18 of the Constitution, do hereby order this 1st day of February 2002, effective immediately:

1. Creation. There is a Court Commission on Racial and Ethnic Fairness in the Judicial Process.

2. Members.

a. Commission. The Commission shall consist of not more than 20 members, appointed by the Chief Judge of the Court of Appeals.

b. Advisors. To the extent provided in the budget, the Commission may invite others to provide advice to or otherwise participate in the Commission work, through invitations to public fora, appointment to subcommittees or assignment of specific tasks such as statistical and academic research.

c. Compensation. The members and advisors are not entitled to compensation but may be reimbursed for expenses in connection with travel related to the work of the Commission.

3. Meetings.

a. Scheduling. The Commission shall meet at the call of the Chair.

b. Quorum. A majority of the authorized membership of the Commission shall constitute a quorum for the transaction of business.

4. Functions.

a. Purpose. The primary focus of the Commission is to examine court-related equality issues of court users, clients, and other parts of the African-American, Hispanic, Asian, and other minority communities.

b. Duties. To carry out its purpose, the Commission shall:

(1) develop methodology to reduce or eliminate unequal access, and unequal treatment, experienced as a result of or perceived as a part of judicial processes within the Maryland

court system;

(2) increase public confidence in the equal application of the law in Maryland for all citizens, by the elimination of bias and of misconceptions of bias;

(3) identify initiatives to raise both public and professional awareness of the impact of race and ethnic origin on the fair delivery of justice in Maryland courts; and

(4) recommend the development of educational programs for the bench and bar as to the means by which any racial or ethnic bias that may exist may be eliminated from the Maryland court system.

5. Staff. The Commission shall have the staff assistance assigned by the Chief Judge of the Court of Appeals.

/s/ Robert M. Bell
Chief Judge
Court of Appeals of Maryland

Filed: February 1, 2002

/s/ Alexander L. Cummings
Clerk
Court of Appeals of Maryland